

Message Text

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PAGE 01 STATE 195901
ORIGIN EB-08

INFO OCT-01 EUR-12 EA-10 ISO-00 L-03 JUSE-00 COME-00
STR-04 /038 R

DRAFTED BY EB/IFD/BP:TASCHLENKER:VJW
APPROVED BY EB/IFD/BP:HJWINTER
L/EB - SBOND
JUSTICE - RSCHWARTZ
EA/J - HCOCHRAN

-----077218 180618Z /14

R 172300Z AUG 77
FM SECSTATE WASHDC
TO AMEMBASSY TOKYO
INFO AMEMBASSY PARIS

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USOECD

E.O. 11652: GDS

TAGS: ETRD, OECD

SUBJECT: ANTITRUST: DOJ INFORMATION REQUEST TO NIPPON
ELECTRIC

REF: (A) STATE 123097, (B) STATE 98023

1. AS EXPLAINED IN REFTEL A, THE DEPARTMENT OF JUSTICE (DOJ) ISSUED A CIVIL INVESTIGATIVE DEMAND (CID) TO THE U.S. SUBSIDIARY OF NIPPON ELECTRIC COMPANY IN EARLY JUNE IN CONNECTION WITH A CIVIL INVESTIGATION OF THE INTERNATIONAL VIDEO RECORDING EQUIPMENT INDUSTRY.
2. DOJ HAS NOW REQUESTED THAT THE EMBASSY COPY AND SEND LIMITED OFFICIAL USE

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TO WASHINGTON CERTAIN DOCUMENTARY MATERIAL TO BE MADE AVAILABLE AT THE OFFICES OF NIPPON ELECTRIC CO., LTD. (NEC) IN TOKYO. LEGAL COUNSEL FOR NEC HAS STATED THAT THE MATERIAL, ABOUT 5,000 PAGES, WILL BE MADE AVAILABLE TO EMBASSY PERSONNEL AT NEC OFFICES, FOR THE PURPOSE OF BEING REMOVED FROM THE PREMISES, COPIED, AND RETURNED TO NEC. NEC WISHES TO KNOW THE DATES UPON WHICH THE PICK-UP AND

COPYING MIGHT TAKE PLACE. IT HAS ALSO REQUESTED THAT THE JAPANESE FOREIGN MINISTRY BE NOTIFIED BY THE DEPARTMENT PRIOR TO THIS TRANSACTION.

3. POINT OF CONTACT ON BEHALF OF NEC IN TOKYO IS ARTHUR M. MITCHELL OF THE LEGAL FIRM OF TANAKA AND TAKAHASHI, TELEPHONE NUMBER 03-591-6278. MR. MITCHELL HAS COUNSELED NEC WITH RESPECT TO THIS TRANSACTION.

4. DOCUMENTS SHOULD BE AIR POUCHED TO EB/IFD/BP, CARE OF THOMAS SCHLENKER.

5. DOJ AND NEC HAVE REACHED NO AGREEMENT AS TO WHETHER

THESE MATERIALS ARE BEING PRODUCED VOLUNTARILY OR IN RESPONSE TO THE CID. ACCORDINGLY, NO CHARACTERIZATION OF THIS TRANSACTION, OTHER THAN AN ARRANGEMENT FOR COPYING DOCUMENTS, SHOULD BE MADE BY STATE PERSONNEL, NOR SHOULD THEY ACQUIESCE IN ANY CHARACTERIZATION.

6. PLEASE NOTIFY DEPARTMENT OF ARRANGEMENTS, PRIOR TO REMOVING THE DOCUMENTS. VANCE

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Message Attributes

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Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
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